

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PATRICIA SCHOUPPE,
Plaintiff

3:16cv290

(Judge Munley)

v.

BLAKESLEE POST OFFICE;
US POST OFFICE; KIRBY UPRIGHT,
d/b/a/ LAMPLIGHTER ASSOCIATES;
and KIRBY UPRIGHT, d/b/a
LAMPLIGHTER ASSOCIATES GP,
Defendants

ORDER

A review of the docket in the above-captioned matter reveals that on August 12, 2016, Plaintiff Patricia Schouppe filed a motion to stay this case pending resolution of her administrative claim pursuant to the Federal Tort Claims Act (hereinafter "FTCA"), 28 U.S.C. §§ 2671-80. (Doc. 25). "The power to stay is incidental to the power inherent in every court to dispose of cases so as to promote their fair and efficient adjudication." U.S. v. Breyer, 41 F.3d 884, 893 (3d Cir. 1994). A "stay" is an extraordinary measure that should be granted upon a showing of compelling reasons for its issuance. Id.

In the instant matter, plaintiff argues that a stay is appropriate because she is actively pursuing an administrative claim against the government defendants pursuant to the FTCA. The government does not oppose a stay. Rather, the government's non-concurrence arises from the U.S. Post Office Agency Counsel's failure to respond to the government attorney's diligent requests to obtain concurrence over the past two (2) months.

After a careful review, we will grant the plaintiff's motion for a stay. Defendants will not be prejudiced by a stay, and we accept plaintiff's assertion that she is diligently pursuing her administrative claim under the FTCA. Thus, the stay serves the purposes of judicial economy and may ultimately benefit all parties involved.

Accordingly, it is hereby **ORDERED** that plaintiff's motion for a stay (Doc. 25) is **GRANTED**. The plaintiff is **DIRECTED** to file a status report regarding the disposition of her administrative claim every sixty (60) days, until her administrative claim is resolved. The Clerk of Court is directed to **stay** and **administratively** close this case.

Date: 8/16/16

BY THE COURT:



JUDGE JAMES M. MUNLEY
United States District Court